

**Silver Spring Urban District Advisory Committee**  
**Meeting**  
**July 19, 2007**

**Members Present:** Genny Hardesty, Bob Middleton, Jon Lourie, Abrielle Anderson, Pete Esker, Barbara Henry, Robb Parker, Carmen Camocho and Nancy Schwiesow

**Members Absent:** Mary Pat Spon, Renee Okon

**Staff:** Gary Stith, Vicki Lockerman, and Susan Hoffmann

**Welcome/Introduction** – Genny Hardesty, Chair called the meeting to order at 3:30 p.m.

**Motion:** (Middleton, Schwiesow) the Silver Spring Urban District Advisory Committee Approved the June 2007 minutes

**Chair Report**

Genny Hardesty reported that:

- She enjoyed the working experience as Chair of the Silver Spring Urban District Advisory Committee.
- She gave testimony at a public hearing on behalf of the Silver Spring Urban District Advisory Committee on the Civic Building/Veteran Plaza project at Park and Planning. The Planning Board recommended approval of the proposal that was submitted and construction should start in the fall.
- Bryant Foulger, Charles Atwell, Ed Asher Bacca terms are over and thanks to all of them for their contribution to the Committee. On behalf of the Board I would like to welcome our new members Robb Parker, and Carmen Camacho

**Police Update**

Lt. Auger reported that:

- Commander Johnson is familiarizing himself with staff and management of the 3<sup>rd</sup> District.
- The situation at the Boys and Girls Club is an evolving one and we have been working with folks from the Boys and Girls Club and community groups. We are trying to schedule a meeting with the CEO of the Boys and Girl Club to discuss concerns and make sure everyone is on the same page. There are definitely public order and safety concerns. The folks organizing these events don't agree with the community and police positions on the issue. The event on July 7 was not a surprise because when these types of event occur there are always problems but the police dealt with it and fortunately nobody was hurt. We will continue to try and schedule a meeting with the CEO to discuss community concerns. The main problem is the events are too big for the facilities and other issues concerning transportation, parking, noise, and public order. The organizers of this last event did not contact the Police and we where notified by someone in the community about the event. We have had DPWT, Fire Marshal, and Permitting Services at this facility and there is an issue with the sprinkler system.

Bob Middleton invited Lt. Auger and/or Commander Johnson to attend the next Cameron Hill Board meeting on September 11, 2007 at Tastee Diner to discuss the influx number of folks that are over at the Silver Plaza and recognize that there is not much to do so they congregate around the McDonald on the edge of the Cameron Hills Community and the noise level and activities going on there needs to be addressed.

Lt Auger responded for theses kind of scenario call 911 even if it is a public order situation so officers working in the area will be aware that they are getting numerous calls from businesses and the community.

Pete Esker asked what the difference was of calling the 911 number and the non-emergency number.

Lt Auger responded if there is a rape, robbery, murder, fight, traffic accident with injuries, disorderly conduct of people not fighting but being loud, blocking sidewalks and drinking and requires an **immediate response of an officer call 911**. There are incidents where people feel the issue is not important enough to call 911 and call the non-emergency number but if the situation is minor and you don't need to have an officer immediately you may be able to call and resolve the problem through another County Agency. We have a Telephone Reporting Unit and if someone calls 911 to report their son's bike being stolen they are asked when the incident occurred and does the person have any suspects. They have criteria and normally if it not serious and no suspect they take the information over the phone because there is nothing the officer would have to go to the scene for. The other alternative is to call the District Station.

Pete Esker asked if there was any new development on the Forest Glen Pedestrian underpass.

Lt. Auger responded that he has not heard anything in some time on the underpass and we have not had any incidents there in the last several months.

Genny Hardesty stated that during the summer months we always expect crime to gear up with children out of school in the shopping areas how do we compare this summer to last summer.

Lt. Auger responded that he could not fairly answer Genny Hardesty, question because he started working in Silver Spring the latter part of last summer but the Police are busy with all types of crimes daytime residential burglary and robberies in various areas and in my opinion we need more officers.

#### **Parking Update – Extension of Hours to change**

Jeffrey Riese reported that:

- Parking Operation is taken no action at this time all signs and flyers have been removed.
- There will be no changes to mass meter machines, meters themselves and no meter rate plate changes. We are waiting for County Council action which should rescind changes for now unless something further comes out of the discussion. The Public Hearing is schedule for July 26 at 7:30 p.m.
- Art Holmes, Director of Department Public Works and Transportation gave orders that we take no action until we receive direct instructions. Whatever instructions come out of County Council will be cleared with the County Executive, Chief Administrative Officer, and County

Attorney. We need to know who has the authority to make the changes, and what Executive Orders need to be signed. If changes do occur it will take time to get signs re-fabricated and posted. We have been asked to notify the vendor of the master meter machines several weeks in advance because they have to send someone from California to make the changes. If changes occur in the downtown Silver Spring garages those can be done a little more simply.

### **Discussion**

Bob Middleton asked is there a learning point to what we have just gone through.

Jeffrey Riese responded that we know how to make changes and advertise changes but there are always learning curves to any policy change.

Gary Stith stated rates are part of the budget process. Rates and hours of charging are put in place by County Council. The County Executive makes recommendations as part of his budget submissions and recommended no changes in Silver Spring as part of his budget request. Council made those changes as a part of the budget process which moved quickly and they held a public hearing but businesses and the community were not aware of it. An article appeared in the Gazette Newspaper that this was being implemented as part of the process. There was a very strong reaction from approximately 503 people sending comments to the Executive Office so Council decided to reconsider the process.

Jon Lourie asked about updates on the Cameron Street garage and what is the status on credit card purchase.

Jeffrey Riese responded that their observation of the garage is things are working better. The machines are functioning and the meter team is learning how to keep them going. We used the same kind of machines in the Wheaton garage and they did not have the problems we have had here because the machines were controlled by one machine on site. These new machines are linked through the internet back to a server company so we were having problems when someone would make a payment and it would take it times getting into the server in California and things were not getting recorded and the vendor is working on this issue. The vendor promised PCI Compliance which is the Payment Card Institute they make the security standards for the industry and originally they said April and now it will be September. We want to use credit cards because it will solve problems and make it easier for people. We have worked this out with the Finance Department and are waiting to receive the compliance which the County requires. When we get this it is modular with a plug-in unit so it will happen quickly once we do get and we probably will have a test out period.

Pete Esker asked the status of garage and Lot 4.

Jeffrey Riese responded that currently we are not planning on making any investment in that we are waiting to see what happens with Lot 3 between Thayer and Silver Spring Avenues. If we make a major change there such as a development with a private entity that would build a garage we would not want to be working on Lot 4 during that time. Once it opens we would advertise to see if we can find a development partner to try and build a new public facility whether underground or part of the above ground with other residential retail. We could say if this does not happen that we need the extra parking because of the development activity in the area and then do renovation on that or we could say our numbers are showing that at this time we don't need it.

Gary Stith stated that they are working with Bob Hillerson on doing a development opportunity at Lot 3 now that the purple line alternative has been taken off the Lot. There will be 350 public parking spaces in this project. We can not do both projects at the same time because there has to be available parking in the area to service the neighborhood.

Jeffrey Reise responded that we took the number of spaces on the Lot now and open spaces in the garage at this time and assuming no matter what is going on we might for a while be able to use the surface Lot along Fenton Street to have enough spaces.

Gary Stith stated that in the Lot 3 joint development project there will be more than 350 parking spaces as a part of the project but 350 is the number of public spaces. The Developer as part of the agreement is agreeing to certain number of spaces that they will provide for the residential and office uses. They are not intending to provide spaces for retail uses because the assumption was retail uses would be better services by the public fund.

### **Pre-Application Checklist for CBD**

Genny Hardesty reported that:

- On page 24 of the attachment is the pre-application checklist for Central Business District, CBD) projects. As a Committee we really don't have criteria when Developers come to us and present projects and ask for support. The Committee had no formal process basically we asked the project location, what's going to be in it and does it meet certain things. The Committee takes a vote and agrees or disagrees to send a letter of support. Glenn Kreger attended our meeting and we discussed having a meeting with the Planning Board either quarterly or in place of a regular Committee meeting. The question is whether we appoint a smaller subcommittee? I think it is should be voted on by Committee members and worth devoting an afternoon possibly of a regular monthly meeting to make this happen.

Bob Middleton stated it would be helpful to have the abbreviation on the pre-application checklist translated for a better understanding by the Committee of what they mean.

Gary Stith responded that Glenn Kreger did stat that the list was his informal checklist.

Jon Lourie stated that the checklist would be helpful when Developers bring projects to the Silver Spring Urban District Advisory Committee and that they need to quantifiably address these things.

Gary Stith responded that the Silver Spring Citizens Advisory Board has a checklist of items and asked that Developers provide a two or three page summary of the project when presenting.

Jon Lourie stated that part of the discussions have been for the Committee to have a better relationship with Park and Planning and the bigger picture in downtown development.

Genny Hardesty stated in her opinion it should be all Committee members decision and we can put it to a vote.

Gary Stith stated the first meeting could be an orientation for all members.

Jon Lourie stated that if the meetings were quarterly we should combine with the Citizens Advisory Board because there are common issues concerning downtown development and this would develop a cohesive message with the Planning Board.

Genny Hardesty stated that for the presentation Jon Lourie idea was good and if a sub-committee or volunteer group is formed that they come back, give a report to the general committee and then our position could be determined on projects.

### **Update Civic Building and Veteran Plaza**

Gary Stith reported that:

- He appreciated the Silver Spring Urban District Advisory Committee, the Silver Spring Citizens Advisory Board, Silver Spring Chamber of Commerce, PREZCO and community support at the Civic Building and Veteran Plaza Hearing.
- The building permit was put in awhile ago but could not go forward until we had Planning Board approval. Most of the reviewers have signed off on the permits and the permit is close to being issued. Once the permit is issued a bid goes out and this process will take several months so later this year we should be in a position to start construction on the project.
- They are looking at options to try and soften the plaza with things that are not permanent installations. We are also thinking if there is something we could do to commemorate the turf. We are definitely moving forward and want the project done as quickly as possible.

Bob Middleton asked if Bryant Foulger would be do his condo project at the same time construction is going on with the Civic Building and Veterans Plaza or is he going to wait.

Gary Stith responded that there were reversionary rights when the PLD acquired the property in 1950 a Corporation retained these reversionary rights on three blocks out of the whole thing therefore clouding the title preventing them from getting title insurance unless the County can figure out a way to clear the title. The Corporation does not exist and all their assets transferred to another Corporation and it does not exist. We are in the process of researching that Corporation but anticipate there isn't anybody out there that has these assets anymore. One approach maybe to get the court to designate someone but we have to demonstrate to the Court that we made an effort to find out if there is anyone with control over those reversionary rights.

### **Marketing and Special Events**

Susan Hoffmann reported that:

- The 3<sup>rd</sup> Annual Silver Spring Grand Prix Bicycle Race was a success. I want to personally thank Robb Parker, Petersons Company and all the partners in PFA for helping with the speed humps.
- The Harry Potter event is Friday at 7:00 p.m., on Ellsworth Drive. Downtown Silver Spring should receive great press and a series of wonderful activities will be happening. AFI is showing the older Harry Potter movies back to back.
- Channel 9 is cutting us a spot for the Jazz Festival.

Jon Lourie stated that the Committee does not meet in August was Susan Hoffmann going to provide the Committee with an example of the promotional material for the Festival.

Susan Hoffmann stated that she would send it via e-mail and the information is on the website [www.silverspringdowntown.com](http://www.silverspringdowntown.com)

Gary Stith stated the Urban District staff received numerous complaints about magic marker tagging and cleaning it up is more difficult than spray paint. They are tagging mailboxes, telephone booths, the back of traffic control signs, and bus stops. This is an on-going problem that we are trying to deal with and will continue to work on.

Barbara Henry stated that two break-ins took place at DCTC parking garage last week and both were reported to the Police.

### **New Business:**

The Silver Spring Urban District discussed their Annual Retreat and proposed the date of Wednesday, September 19, 8:30 a.m. to 1:00 p.m., and to invite representatives from the Silver Spring Citizens Advisory Board, Silver Spring Chamber of Commerce, Park and Planning, Police, and Department Public Works and Transportation.

Barbara Henry suggested contacting Mark Sachs to facilitate and that the Retreat could be at Discovery Communication, Inc.

Gary Stith asked that when Committee members respond to the e-mail regarding the date that they send suggestions of issue they would like to discuss at the retreat. Normally we try to establish looking ahead based on the changes coming to downtown Silver Spring, how we can respond to those and looking at very specific issues the Committee wants to tackle over the next year.

The Silver Spring Urban District Advisory Committee will not meet in August and the next regular Committee meeting will take place in October for the new Chair.

**Motion:** (Middleton, Schwiesow) the Silver Spring Urban District Advisory Committee unanimously elected Barbara Henry as the new Chair of the Silver Spring Urban District Advisory Committee.

Genny Hardesty suggested that the Committee table the Vice-Chair election until the October meeting.

### **Director Reports**

Gary Stith reported that:

- Montgomery County Executive Isiah Leggett will host his sixth Town Hall Meeting this evening. The meeting will begin at 8 p.m. at Woodside United Methodist Church, 8900 Georgia Avenue, Silver Spring MD.
- There was a delay with the Transit Center and Interim Operating Site because of an issue between Park and Planning who has a park easement on the site and the County in terms of how the park easement is relocated and accommodating in the development of the transit center project. This issue was resolved Park and Planning approved the agreement

and we are ready to move forward. This resulted in a few changes to the design and because of construction cost continuing to go up they are going through a value engineering process that will take a few weeks. Once they have the plan revisions they will put it out on the street for Bid. They will go through a Request for Proposal Process (RFP) rather than low bid to ensure they get a contractor that will do a good job so it is based more on value of the work versus low bid to get a better product but this process takes longer than low bid. Actual construction on the Transit Center won't start until February, early March, 2008 so we won't operate on the Streets until we actually have to move the buses off the site. People that are concerned about the IOS we have more time and we are making some adjustment but we are moving forward.

- This Committee and Silver Spring Citizens Advisory Board have had concerns regarding the Central Business District Zoning Ordinance specifically related to the disincentives for retail development and the ability to consolidate public use spaces between some of the smaller projects. The Ordinance allows this but Developers could not actually take advantage of it because in order to move their public use space off site they needed another location and most of them didn't so there was no way they could do this. The idea was that Park and Planning could set-up a mechanism where they could contribute to a fund and Park and Planning could use the fund to acquire public use space in downtown to get spaces more meaningful and functional than the pocket parks. The Planning Board has reviewed and sent their recommendation to County Council but they have not introduced it because some of the Council member had a concern about the mechanism and who would control the fund. In the Planning Board suggested they control the fund and Council is saying they should control it. We are hoping to have the final version to be introduced before the end of July and the Hearing held some time in September and we will keep you advised of the issue. The mechanism for paying in to the pooling of the public use space is that it is voluntary and if developers want to do this they have to pay into the fund an amount equal to 20% of the value of their property. Why would a Developer want to spend money to pay into the public use fund when they could accommodate on their own site without cost and there is no benefit? One suggestion was if they buy in to the fund they get value back in terms of more density and it seems there needs to be an adequate incentive.
- Website stats – we broke over 3100 visits in a day twice this month. The website is kept up-to-date with businesses, and activities available. Our peak during the week tends to be on Tuesday. The second page is some of the terms people use to search to get to the silverspringdowntown.com. We have a meeting with the person that developed the software and service provider to look at new way to update the site and make it better.

Genny Hardesty asked about the construction on the Transit Center, how many vendors will have the opportunity to bid and do you know who they may be.

Gary Stith responded that he did know if they would pre-qualify bidders or not. Normally they advertise the bid and whoever wants to bids but they want to make sure it someone that is qualified. The County is doing this more on contracts for example our landscape contract use to go to the lowest bid but we have gone to an RFP process and look at their experience and they have to meet certain criteria to be evaluated on and it has made a big difference in the quality of service we receive.

**Meeting adjourned 5:45 p.m.**